



CITY of CALABASAS

August 11, 2016

**ADOPTED**

BOARD OF SUPERVISORS  
COUNTY OF LOS ANGELES

51 September 13, 2016

Ms. Lori Glasgow  
Executive Officer  
Los Angeles County Board of Supervisors  
Kenneth Hahn Hall of Administration  
500 W. Temple Street, Room 383  
Los Angeles, CA 90012

LORI GLASGOW  
EXECUTIVE OFFICER

Dear Ms. Glasgow:

Please find enclosed one certified copy of Resolution No. 2016-1525 and two (2) certified copies of Resolution No. 2016-1526, which were adopted by the Calabasas City Council on August 10, 2016. Resolution No. 2016-1525 calls and gives notice of the holding of a Special Municipal Election to be held on Tuesday, November 8, 2016; and Resolution No. 2016-1526 requests the Los Angeles County Board of Supervisors to consolidate and render specified services to the City of Calabasas relating to the conduct of said election.

Please contact me if you have any questions.

Regards,

Maricela Hernandez, MMC  
City Clerk

/mh

Enclosures

**RESOLUTION NO. 2016-1525**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY CALABASAS, CALIFORNIA, CALLING AND GIVING NOTICE OF THE HOLDING OF A SPECIAL MUNICIPAL ELECTION ON TUESDAY, NOVEMBER 8, 2016, FOR SUBMISSION OF ORDINANCE NO. 2016-333 TO THE QUALIFIED VOTERS.**

**WHEREAS**, The City Council adopted Ordinance No. 2016-333 on June 22, 2016, entitled "ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CALABASAS, CALIFORNIA, APPROVING A ZONING MAP AMENDMENT ASSOCIATED WITH FILE NO. 140000011 TO CHANGE THE EXISTING PLANNED DEVELOPMENT – RESIDENTIAL MULTIFAMILY (20) – OPEN SPACE DEVELOPMENT RESTRICTED – SCENIC CORRIDOR (PD-RM20-OSDR-SC) ZONING DESIGNATION TO COMMERCIAL RETAIL – RESIDENTIAL MULTIFAMILY (20) – OPEN SPACE DEVELOPMENT RESTRICTED – SCENIC CORRIDOR – DEVELOPMENT PLAN (CR-RM20-OSDR-SC-DP) TO ACCOMMODATE THE PROPOSED DEVELOPMENT PROJECT, WHICH INCLUDES: (1) A RESIDENTIAL COMPONENT CONSISTING OF 67 SINGLE-FAMILY DETACHED HOMES AND FOUR AFFORDABLE UNITS WITHIN TWO DUPLEX STRUCTURES OCCUPYING APPROXIMATELY 13.03 ACRES; (2) A COMMERCIAL COMPONENT CONSISTING OF A 72,872 SQUARE-FOOT, THREE-STORY HOTEL OCCUPYING APPROXIMATELY 2.91 ACRES; AND (3) PRESERVATION OF APPROXIMATELY 61.0 ACRES AS PERMANENT OPEN SPACE ON A 77-ACRE PROPERTY LOCATED AT 4790 LAS VIRGENES ROAD AT THE EASTERN TERMINUS OF AGOURA ROAD (APNS: 2069-078-009 AND 2069-078-011).);" ("the Ordinance") and

**WHEREAS**, the Ordinance was published as required by law; and

**WHEREAS**, pursuant to authority provided in Division 9, Chapter 3, Article 2 (commencing at §9235) of the Elections Code of the State of California, a petition protesting the City Council's action was filed with the Elections Official on July 21, 2016, within the 30 days of adoption of Ordinance No. 2016-333. The petition protesting Ordinance No. 2016-333 requests that it be repealed by the City Council or submitted to a vote of the people, as prescribed by law; and

**WHEREAS**, the Elections Official certified the petition as it contained at least 10% of the verified signatures of registered voters of the City of Calabasas; and

**WHEREAS**, the City Council has not voted in favor of the repeal of the Ordinance; and

**WHEREAS**, the City Council is authorized and directed by Elections Code §9241 to submit the Ordinance to the voters.

**NOW, THEREFORE, BE IT RESOLVED, THAT THE CITY COUNCIL OF THE CITY OF CALABASAS DOES RESOLVE, DECLARE, DETERMINE AND ORDERS AS FOLLOWS:**

**SECTION 1.** That pursuant to the requirements of the laws of the State of California relating to General Law cities, there be and ordered to be held in the City of Calabasas, California, on Tuesday, November 8, 2016, a Special Municipal Election for the purpose of submitting the following measure to the voters:

SHALL THE ORDINANCE NO. 2016-333 APPROVING CHANGING THE EXISTING ZONING FROM PLANNED DEVELOPMENT – RESIDENTIAL MULTIFAMILY (20) – OPEN SPACE DEVELOPMENT RESTRICTED – SCENIC CORRIDOR TO COMMERCIAL RETAIL – RESIDENTIAL MULTIFAMILY (20) – OPEN SPACE DEVELOPMENT RESTRICTED – SCENIC CORRIDOR – DEVELOPMENT PLAN TO ACCOMMODATE: 67 SINGLE-FAMILY DETACHED HOMES AND TWO AFFORDABLE DUPLEXES; A 72,872 SQUARE-FOOT, THREE-STORY HOTEL; AND PRESERVATION OF APPROXIMATELY 61.0 ACRES AS PERMANENT OPEN SPACE ON A 77-ACRE PROPERTY AT 4790 LAS VIRGENES ROAD, CALABASAS BE APPROVED?	YES
	NO

**SECTION 2.** That the text of the ordinance, Ordinance No. 2016-333, submitted to the voters is attached as Exhibit A.

**SECTION 3.** That the vote requirement for the measure to pass is a majority (50% + 1) of the votes cast.

**SECTION 4.** That the ballots be used at the election shall be in form and content as required by law.

**SECTION 5.** That the Election Official is authorized and instructed and directed to procure and furnish any and all official ballots, notices, printed matter and all supplies, equipment and paraphernalia that may be necessary in order to properly and lawfully conduct the election.

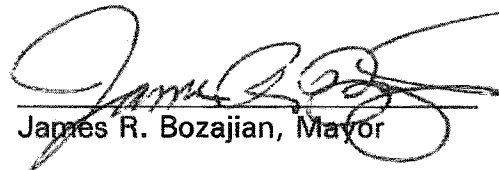
**SECTION 6.** That the polls for the election shall be open at 7:00 o'clock a.m. and shall remain continuously from that time until 8:00 o'clock p.m. of the same day when the polls shall be closed, except as provided in §14401 of the Elections Code of the State of California.

**SECTION 7.** That in all particulars not recited in the Resolution, the election shall be held and conducted as provided by law for holding municipal elections.

**SECTION 8.** That notice of time and place of holding the election is given and the Elections Official is authorized and instructed and directed to give further or additional notice of the election, in time, form and matter as required by law.

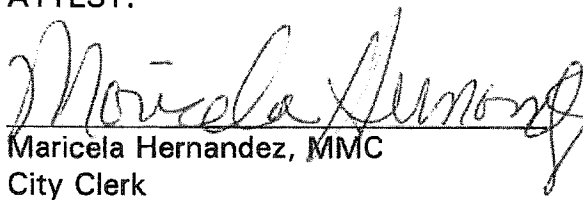
**SECTION 9.** The City Clerk shall certify to the adoption of this resolution and shall cause the same to be processed in the manner required by law.

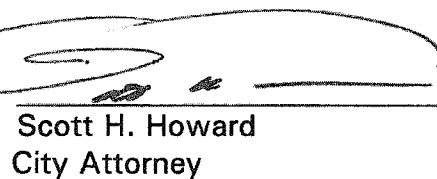
**PASSED, APPROVED AND ADOPTED** on the 10<sup>th</sup> day of August, 2016.

  
James R. Bozajian, Mayor

ATTEST:

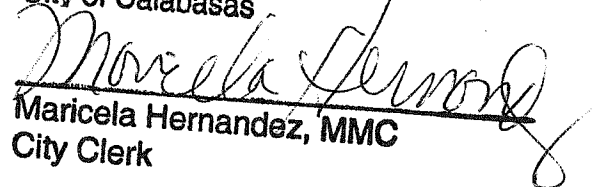
APPROVED AS TO FORM:

  
Maricela Hernandez, MMC  
City Clerk

  
Scott H. Howard  
City Attorney

Attachment: Exhibit A

Certified to be a true and correct copy  
of original document on file with the  
City of Calabasas

  
Maricela Hernandez, MMC  
City Clerk

STATE OF CALIFORNIA       )  
COUNTY OF LOS ANGELES    ) §  
CITY OF CALABASAS         )

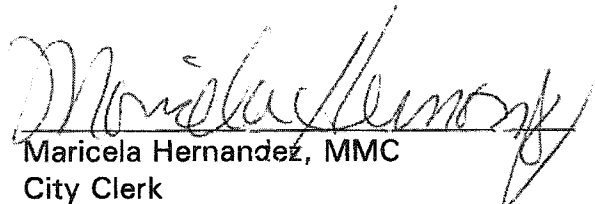
I, **MARICELA HERNANDEZ, MMC**, City Clerk of the City of Calabasas, California, **DO HEREBY CERTIFY** that the foregoing resolution, being **Resolution No. 2016-1525** was duly adopted by the City Council of the City of Calabasas, at a regular meeting of the City Council held August 10, 2016, and that it was adopted by the following vote, to wit:

AYES:       Mayor Bozajian, Mayor pro Tem Maurer, Councilmembers Gaines, Shapiro and Weintraub.

NOES:       None.

ABSTAIN:   None.

ABSENT:    None.

  
Maricela Hernandez, MMC  
City Clerk  
City of Calabasas, California

**ORDINANCE NO. 2016-333**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CALABASAS, CALIFORNIA, APPROVING A ZONING MAP AMENDMENT ASSOCIATED WITH FILE NO. 140000011 TO CHANGE THE EXISTING PLANNED DEVELOPMENT - RESIDENTIAL MULTIFAMILY (20) - OPEN SPACE DEVELOPMENT RESTRICTED - SCENIC CORRIDOR (PD-RM20-OSDR-SC) ZONING DESIGNATION TO COMMERCIAL RETAIL - RESIDENTIAL MULTIFAMILY (20) - OPEN SPACE DEVELOPMENT RESTRICTED - SCENIC CORRIDOR - DEVELOPMENT PLAN (CR-RM20-OSDR-SC-DP) TO ACCOMMODATE THE PROPOSED DEVELOPMENT PROJECT, WHICH INCLUDES: (1) A RESIDENTIAL COMPONENT CONSISTING OF 67 SINGLE-FAMILY DETACHED HOMES AND FOUR AFFORDABLE UNITS WITHIN TWO DUPLEX STRUCTURES OCCUPYING APPROXIMATELY 13.03 ACRES; (2) A COMMERCIAL COMPONENT CONSISTING OF A 72,872 SQUARE-FOOT, THREE-STORY HOTEL OCCUPYING APPROXIMATELY 2.91 ACRES; AND (3) PRESERVATION OF APPROXIMATELY 61.0 ACRES AS PERMANENT OPEN SPACE ON A 77-ACRE PROPERTY LOCATED AT 4790 LAS VIRGENES ROAD AT THE EASTERN TERMINUS OF AGOURA ROAD (APNS: 2069-078-009 AND 2069-078-011).**

**WHEREAS**, the City Council of the City of Calabasas, California ("the City Council") has considered all of the evidence including, but not limited to, the Planning Commission Resolution, Planning Division staff reports and attachments, and public testimony from Planning Commission meetings on March 16, 2016 and March 17, 2016 and City Council meetings on April 13, 2016, May 25, 2016, and May 31, 2016 before making a final decision on May 31, 2016; and

**WHEREAS**, the City Council finds that the Zoning Map Amendment is consistent with the goals, policies, and actions of the General Plan and will not conflict with the General Plan. More specifically, the project is consistent with numerous General Plan policies including but not limited to Policies: II-8, II-9, II-10, II-11, II-12, II-17, III-7, III-13, III-14, IV-2, IV-4, IV-8, IV-9, IV-13, IV-15, IV-17, IV-18, IV-21, IV-22, IV-23, IV-24, IV-27, IV-28, IV-31, IV-33, IV-36, IV-37, VI-2, VI-11, VI-14, VI-15, VI-18, VI-19, VI-21, VII-1, VII-2, VII-5, VII-6, VII-7, VII-10, VII-16, VIII-8, IX-3, IX-5, IX-6, IX-14, IX-43, IX-46, XIII-7, XIII-9, XII-13, XII-14, XII-17, and XII-29; and

**WHEREAS**, the City Council finds that the Zoning Map Amendment will not be detrimental to the public interest, health, safety, convenience, or welfare of the City; and

**WHEREAS**, the proposed actions are in compliance with the provisions of the California Environmental Quality Act (CEQA) because an Environmental Impact Report (EIR) has been prepared and outlines mitigation measures and a statement of overriding considerations, which have been adopted by the city council for the project.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CALABASAS DOES ORDAIN AS FOLLOWS:**

**SECTION 1.** Based upon the foregoing the City Council finds:

1. Following a public hearing held on March 17, 2016, the Planning Commission adopted Resolution No. 2016-610 recommending to the City Council approval of File No. 140000011 and certification of adequacy of the associated Final Environmental Impact Report and adoption of a statement of overriding considerations.
2. Notice of the April 13, 2016 City Council public hearing was posted at Juan de Anza Bautista Park, the Calabasas Tennis and Swim Center, Gelson's Market, the Agoura Hills/Calabasas Community Center and at Calabasas City Hall.
3. Notice of the April 13, 2016 City Council public hearing was posted in the *Calabasas Enterprise* and the *Daily News* ten (10) days prior to the hearing.
4. Notice of the April 13, 2016 City Council public hearing was mailed or delivered at least ten (10) days prior to the hearing to property owners within 500 feet of the property as shown on the latest equalized assessment roll, and was mailed or delivered at least twenty (20) days prior to the hearing to the project applicant.
5. Notice of the April 13, 2016 City Council public hearing included the information set forth in Government Code Section 65009 (b)(2).
6. Following the public hearing on April 13, 2016, the City Council continued the item to May 25, 2016.
7. Following the public hearing on May 25, 2016, the City Council continued the item to May 31, 2016.

**SECTION 2.** In view of all the evidence and based on the foregoing findings and conclusions, the City Council hereby approves the Zoning Map Amendment associated with File No. 140000011 to change the existing PD-RM20-OSDR-SC zoning designation of a 77-acre parcel located at 4790 Las Virgenes Road to CR-RM20-OSDR-SC-DP, as shown in the attached partial zoning map "Attachment 1," to accommodate the proposed residential and commercial development. The proposed changes will modify the zoning of the commercial

portion and it will maintain the existing division of land uses between commercial and residential, totaling 16 acres, and protected open space, totaling 61 acres.

Section 17.76.050(B) Calabasas Municipal Code allows the City Council to approve a Zoning Map Amendment provided that the following findings are made:

1. *The proposed amendment is consistent with the goals, policies, and actions of the General Plan;*

The proposed amendment of the Zoning Map will re-designate approximately 16 acres of land from Planned Development and Residential Multi-Family (20 units/acre) to Commercial Retail and Residential Multi-Family (20 units/acre) plus the addition of a Development Plan overlay. The remainder of the subject property (approximately 61 acres) is zoned Open Space – Development Restricted, and will remain zoned for such use. The map amendment will retain the general shape and limits of the developable area as envisioned in the General Plan, while also aligning with the contours of the land and the Canyon Oaks project outline. The City's 2030 General Plan land use map depicts a compact triangular development area that is widest along the western property line (fronting Las Virgenes) and narrowing as it traverses east, up the valley. The proposed development footprint follows the basic parameters of the land use plan. Furthermore, the proposed new land use and zoning maps maintain the General Plan's clear intent to protect the upper hillsides of the site from development. Consequently, because the open space area will remain largely unchanged in terms of broad shape, consistent with the conceptual depiction of this area in the general plan and with no diminishment of territory, complying with the General Plan's Open Space approval, and based upon the many consistency determinations provided in the General Plan Consistency Table (Table 4.7-2 in the Final EIR incorporated herein by reference), this proposed zoning map amendment is consistent with the Calabasas 2030 General Plan. This Ordinance is not effective unless and until the associated General Plan Amendment is adopted by City Council. Accordingly, if this Ordinance becomes effective, the proposed Zoning Map Amendment will be consistent with the General Plan as provided in that Amendment.

2. *The proposed amendment would not be detrimental to the public interest, health, safety, convenience or welfare of the city;*

The proposed amendment of the Zoning Map will re-designate approximately 16 acres of land from Planned Development and Residential Multi-Family (20 units/acre) to Commercial Retail and Residential Multi-Family (20 units/acre) plus addition of Development Plan overlay. The remainder of the subject property (approximately 61 acres) is zoned Open Space – Development



Restricted, and will remain zoned for such use with no diminishment of territory. The map amendment will retain the general shape and limits of the area as envisioned in the General Plan, preserving all existing open space while also aligning with the contours of the land and the Canyon Oaks project outline. Once the recommended General Plan Amendment and the Zoning Map Amendment recommended below go into effect, the development will conform to General Plan and Development Code standards and procedures and will not be detrimental to public interest, health, safety, convenience, or welfare of the City. Additionally, the amendment supports a development project which will have a significantly lesser range and degree of environmental impacts (particularly a much lower number of vehicle trips on area roads), as compared to the land uses and intensity of use envisioned in the General Plan and the Las Virgenes Gateway Master Plan. The Zoning Map amendment will also accommodate a development project which will significantly improve public safety and welfare by remediating an existing ancient landslide condition on hillsides proximate to existing housing and public roads. The landslide hazard has the potential to impact not only the project site but also existing development to the west of the site. As part of the proposed project, this hazard will be remediated.

The project has been reviewed by various agencies, such as the Los Angeles County Fire Department, the Calabasas Department of Public Works, and Las Virgenes Municipal Water District, and has received preliminary approval from these agencies on the basis of compliance with applicable safety and design standards. Final building permit approval will be based upon meeting the required standards of all the necessary agencies. Therefore, the proposed project meets this finding.

3. *The proposed amendment is in compliance with the provisions of the California Environmental Quality Act (CEQA); and*

An Environmental Impact Report (EIR) was prepared for this project. In preparing the EIR, staff independently reviewed, evaluated, and exercised judgment over the project and the project's environmental impacts. The EIR identifies the areas where the project may have a potential effect on the environment. With the exception of Impact AES-3 (substantial degradation of the site's visual character), all other impacts listed as potentially significant have been mitigated to levels that are no longer significant. A Mitigation, Monitoring and Reporting Program is incorporated by reference and attachment to this resolution. Regarding Impact AES-3, all feasible mitigation measures have been considered and incorporated to lessen impacts to the visual character of the site to the extent feasible. The impact is acknowledged, but based on the environmental, economic, and neighborhood compatibility benefits of the proposed project, the City, as the lead agency,

has approved a Statement of Overriding Considerations with regard to aesthetic impacts.

4. *The site is physically suitable (including access, provision of utilities, compatibility with adjoining land uses, and absence of physical constraints) for the requested zoning designations and anticipated land uses/developments.*

The subject property is largely undeveloped but already substantially disturbed in the immediate area planned for the project (the proposed residential subdivision and commercial hotel). Two large storm-water detention basins are located in this area, as are several improved roads, culverts and drainage ditches, fences, and previously graded pad areas. The property was also heavily grazed for many decades. The remainder of the 77-acre subject property consists of well-vegetated hillsides characterized by an abundance of native and non-native grasses, coastal sage and oak trees. The combined total acreage is sufficient land area to accommodate the proposed project. Even after setting aside the required 61 acres of open space, the 16 acres of principal focus is ample area for the proposed hotel and 71 homes. Furthermore, the General Plan had identified this 16-acre area for development of as many as 180 housing units and 155,000 square-feet of commercial space, indicating the site is suitable for this proposed lower density project.

Potable water, recycled water, sewer, electricity, and natural gas utilities are available along the property frontage, and all connections and on-site utilities will be placed below ground, per city requirements. Furthermore, the property fronts Las Virgenes Road, a heavily travelled arterial street, to the west, with long established land uses in the vicinity including fast-food restaurants, gasoline service stations and convenience markets, a liquor store, grocery store, telecommunications switching facility, and a 48-home subdivision.

Accordingly, the site is physically suitable for the requested land use development. Additionally, the project has been reviewed by, and has received preliminary feasibility approvals from, various agencies such as the Los Angeles County Fire Department, the City of Calabasas Public Works Department, and the Las Virgenes Municipal Water District. Final building permit approval will be based upon meeting the required standards of all the necessary review agencies. Therefore, the proposed project meets this finding.

### **SECTION 3.** Severability Clause:

Should any section, clause, or provision of this Ordinance be declared by the Courts to be invalid, the same shall not affect the validity of the Ordinance as a whole, or parts thereof, other than the part so declared to be invalid.

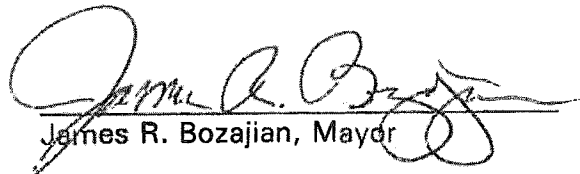
**SECTION 4.**      Effective Date:

This Ordinance shall take effect 30 days after its passage and adoption pursuant to California Government Code Section 36937 and shall supersede any conflicting provision of any City of Calabasas ordinance.

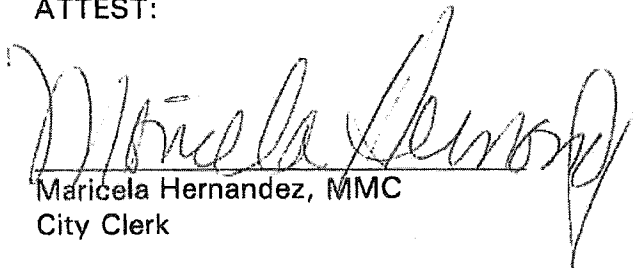
**SECTION 5.**      Certification:

The City Clerk shall certify to the passage and adoption of this ordinance and shall cause the same to be published or posted according to law.

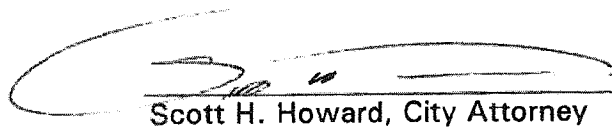
**PASSED, APPROVED AND ADOPTED** this 22<sup>nd</sup> day of June, 2016.

  
James R. Bozajian, Mayor

ATTEST:

  
Maricela Hernandez, MMC  
City Clerk

APPROVED AS TO FORM:

  
Scott H. Howard, City Attorney

**Attachment 1:**      Proposed Zoning Map



# CITY of CALABASAS Proposed Zoning Map

0 0.05 0.1 0.2 Miles

Parcel A:  
Proposed Zoning  
Commercial Retail - Scenic Corridor - Development Plan (CR-SC-DP)

Parcels C and D:  
Proposed Zoning  
Open Space - Development Restricted (OS-DR)

Parcel B:  
Proposed Zoning  
Residential, Multi-Family (20D) - Scenic Corridor - Development Plan (RM-20D-SC-DP)

## Residential Zones

PD	Planned Development
RS	Residential, Single-Family
RM	Residential, Multi-Family
RMH	Residential, Medium Density
RC	Residential Community
RR	Residential, Rural

## Commercial Zones

CB	Commercial, Business Park
CL	Commercial, Limited
CMU	Commercial, Mixed Use
CO	Commercial, Office
CR	Commercial, Retail
CT	Commercial, Old Town

## Special Purpose Zones

HMA	Historic Mountaineers
OS	Open Space
REC	Recreation
PF	Public Facility
OS-DR	Open Space - Development Restricted

## Overlay Zones

CH	Calabasas Highlands
OT	Old Town
DP	Development Plan
SC	Scenic Corridor



\* The number following the lettered indicator is a maximum density for the area. 0.50 for 50% coverage.  
\* The number following the lettered indicator is a maximum FAR for the area.

\* This map does not include any proposed changes to the existing zoning map.  
\* The map is for informational purposes only.

STATE OF CALIFORNIA       )  
COUNTY OF LOS ANGELES    ) §  
CITY OF CALABASAS         )

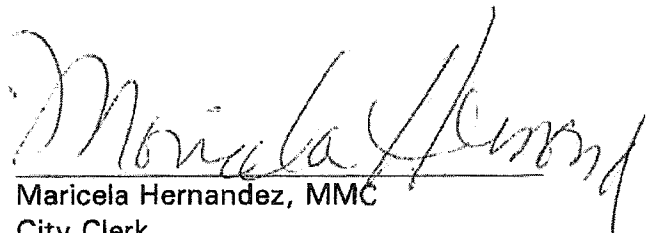
I, **MARICELA HERNANDEZ, MMC**, City Clerk of the City of Calabasas, California, **DO HEREBY CERTIFY** that the foregoing ordinance, being **Ordinance No. 2016-333** was duly introduced and approved by the City Council of the City of Calabasas at a regular meeting held on the 31<sup>st</sup> day of May, 2016 and adopted and passed by said Council at a regular meeting held on the 22<sup>nd</sup> day of June, 2016 by the following vote:

AYES:       Councilmembers Gaines, Shapiro and Weintraub.

NOES:       Mayor Bozajian and Mayor pro Tem Maurer.

ABSTAIN:   None.

ABSENT:    None.

  
\_\_\_\_\_  
Maricela Hernandez, MMC  
City Clerk  
City of Calabasas, California

**RESOLUTION NO. 2016-1526**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALABASAS, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES TO RENDER SPECIFIED SERVICES TO THE CITY RELATING TO THE CONDUCT OF A SPECIAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 8, 2016.**

**WHEREAS**, on August 10, 2016, the City Council of the City of Calabasas called a Special Municipal Election for the purpose of submitting to the voters a City Measure; and

**WHEREAS**, it is desirable that the Special Municipal Election to be consolidated if possible with the Statewide General Election to be held on the same date, and that within the City precincts, polling places and election officers of the two elections to be the same, and that the Los Angeles County Registrar of Voters canvass the returns of the Special Municipal Election and that the election be held in all respects as if there were only one election; and

**WHEREAS**, a Special Municipal Election is to be held in the Calabasas, California, on November 8, 2016; and

**WHEREAS**, in the course of conduct of the election it is necessary for the City to request services of the County of Los Angeles.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CALABASAS, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:**

**SECTION 1.** That pursuant to the requirements of §10403 of the Elections Code, the Board of Supervisors of the County of Los Angeles is hereby requested to consent and agree to the consolidation of a Special Municipal Election with the Statewide General Election on Tuesday, November 8, 2016, for the purpose of placing a Measure on the ballot as follows:

<p>SHALL THE ORDINANCE NO. 2016-333 APPROVING CHANGING THE EXISTING ZONING FROM PLANNED DEVELOPMENT – RESIDENTIAL MULTIFAMILY (20) – OPEN SPACE DEVELOPMENT RESTRICTED – SCENIC CORRIDOR TO COMMERCIAL RETAIL – RESIDENTIAL MULTIFAMILY (20) – OPEN SPACE DEVELOPMENT RESTRICTED – SCENIC CORRIDOR – DEVELOPMENT PLAN TO ACCOMMODATE: 67 SINGLE-FAMILY DETACHED HOMES AND TWO AFFORDABLE DUPLEXES; A 72,872 SQUARE-FOOT, THREE-STORY HOTEL; AND PRESERVATION OF APPROXIMATELY 61.0 ACRES AS PERMANENT OPEN SPACE ON A 77-ACRE PROPERTY AT 4790 LAS VIRGENES ROAD, CALABASAS BE APPROVED?</p>	YES
	NO

**SECTION 3.** That the proposed complete text of Ordinance No. 2016-333, submitted to the voters is attached as Exhibit A.

**SECTION 4.** That the vote requirement for the measure to pass is a majority (50% + 1) of the votes cast.

**SECTION 4.** That the Los Angeles County Registrar of Voters is authorized to canvass the returns of the Special Municipal Election and the election shall be held in all respects as if there were only one election, and only one form of ballot shall be used. The election will be held and conducted in accordance with the provisions of law regulating the Statewide General election.

**SECTION 6.** That the Board of Supervisors is requested to issue instructions to the county elections department to take any and all steps necessary for the holding of the consolidated election.

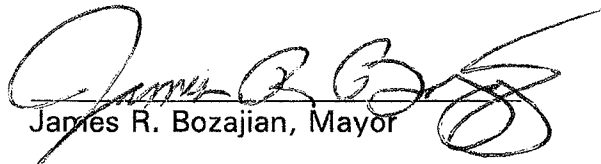
**SECTION 5.** That the City of Calabasas recognizes that additional costs will be incurred by the County by reason of this consolidation and agrees to reimburse the County for any costs.

**SECTION 6.** That the City Clerk is hereby directed to file a certified copy of

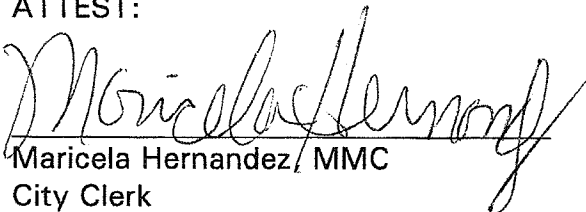
the Resolution with the Board of Supervisors and the Los Angeles County Registrar of Voters of the County of Los Angeles.

**SECTION 7.** The City Clerk shall certify to the adoption of this resolution and shall cause the same to be processed in the manner required by law.


**PASSED, APPROVED AND ADOPTED** on the 10<sup>th</sup> day of August, 2016.

  
James R. Bozajian, Mayor

ATTEST:

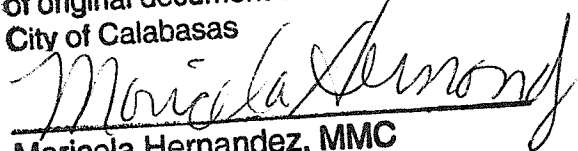
  
Maricela Hernandez, MMC  
City Clerk

APPROVED AS TO FORM:

  
Scott H. Howard  
City Attorney

Attachment: Exhibit A

Certified to be a true and correct copy  
of original document on file with the  
City of Calabasas

  
Maricela Hernandez, MMC  
City Clerk



STATE OF CALIFORNIA       )  
COUNTY OF LOS ANGELES    ) §  
CITY OF CALABASAS         )

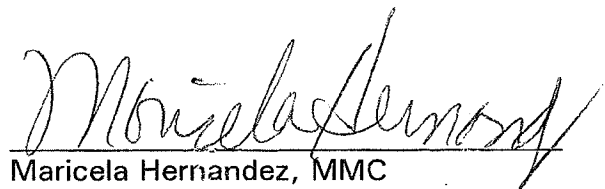
I, **MARICELA HERNANDEZ, MMC**, City Clerk of the City of Calabasas, California, **DO HEREBY CERTIFY** that the foregoing resolution, being **Resolution No. 2016-1526** was duly adopted by the City Council of the City of Calabasas, at a regular meeting of the City Council held August 10, 2016, and that it was adopted by the following vote, to wit:

AYES:       Mayor Bozajian, Mayor pro Tem Maurer, Councilmembers Gaines, Shapiro and Weintraub.

NOES:       None.

ABSTAIN:   None.

ABSENT:    None.

A handwritten signature in dark ink, appearing to read "Maricela Hernandez", is written over a horizontal line.

Maricela Hernandez, MMC  
City Clerk  
City of Calabasas, California

**ORDINANCE NO. 2016-333**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CALABASAS, CALIFORNIA, APPROVING A ZONING MAP AMENDMENT ASSOCIATED WITH FILE NO. 140000011 TO CHANGE THE EXISTING PLANNED DEVELOPMENT – RESIDENTIAL MULTIFAMILY (20) – OPEN SPACE DEVELOPMENT RESTRICTED – SCENIC CORRIDOR (PD-RM20-OSDR-SC) ZONING DESIGNATION TO COMMERCIAL RETAIL – RESIDENTIAL MULTIFAMILY (20) – OPEN SPACE DEVELOPMENT RESTRICTED – SCENIC CORRIDOR – DEVELOPMENT PLAN (CR-RM20-OSDR-SC-DP) TO ACCOMMODATE THE PROPOSED DEVELOPMENT PROJECT, WHICH INCLUDES: (1) A RESIDENTIAL COMPONENT CONSISTING OF 67 SINGLE-FAMILY DETACHED HOMES AND FOUR AFFORDABLE UNITS WITHIN TWO DUPLEX STRUCTURES OCCUPYING APPROXIMATELY 13.03 ACRES; (2) A COMMERCIAL COMPONENT CONSISTING OF A 72,872 SQUARE-FOOT, THREE-STORY HOTEL OCCUPYING APPROXIMATELY 2.91 ACRES; AND (3) PRESERVATION OF APPROXIMATELY 61.0 ACRES AS PERMANENT OPEN SPACE ON A 77-ACRE PROPERTY LOCATED AT 4790 LAS VIRGENES ROAD AT THE EASTERN TERMINUS OF AGOURA ROAD (APNS: 2069-078-009 AND 2069-078-011).**

**WHEREAS**, the City Council of the City of Calabasas, California (“the City Council”) has considered all of the evidence including, but not limited to, the Planning Commission Resolution, Planning Division staff reports and attachments, and public testimony from Planning Commission meetings on March 16, 2016 and March 17, 2016 and City Council meetings on April 13, 2016, May 25, 2016, and May 31, 2016 before making a final decision on May 31, 2016; and

**WHEREAS**, the City Council finds that the Zoning Map Amendment is consistent with the goals, policies, and actions of the General Plan and will not conflict with the General Plan. More specifically, the project is consistent with numerous General Plan policies including but not limited to Policies: II-8, II-9, II-10, II-11, II-12, II-17, III-7, III-13, III-14, IV-2, IV-4, IV-8, IV-9, IV-13, IV-15, IV-17, IV-18, IV-21, IV-22, IV-23, IV-24, IV-27, IV-28, IV-31, IV-33, IV-36, IV-37, VI-2, VI-11, VI-14, VI-15, VI-18, VI-19, VI-21, VII-1, VII-2, VII-5, VII-6, VII-7, VII-10, VII-16, VIII-8, IX-3, IX-5, IX-6, IX-14, IX-43, IX-46, XIII-7, XIII-9, XII-13, XII-14, XII-17, and XII-29; and

**WHEREAS**, the City Council finds that the Zoning Map Amendment will not be detrimental to the public interest, health, safety, convenience, or welfare of the City; and

**WHEREAS**, the proposed actions are in compliance with the provisions of the California Environmental Quality Act (CEQA) because an Environmental Impact Report (EIR) has been prepared and outlines mitigation measures and a statement of overriding considerations, which have been adopted by the city council for the project.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CALABASAS DOES ORDAIN AS FOLLOWS:**

**SECTION 1.** Based upon the foregoing the City Council finds:

1. Following a public hearing held on March 17, 2016, the Planning Commission adopted Resolution No. 2016-610 recommending to the City Council approval of File No. 140000011 and certification of adequacy of the associated Final Environmental Impact Report and adoption of a statement of overriding considerations.
2. Notice of the April 13, 2016 City Council public hearing was posted at Juan de Anza Bautista Park, the Calabasas Tennis and Swim Center, Gelson's Market, the Agoura Hills/Calabasas Community Center and at Calabasas City Hall.
3. Notice of the April 13, 2016 City Council public hearing was posted in the *Calabasas Enterprise* and the *Daily News* ten (10) days prior to the hearing.
4. Notice of the April 13, 2016 City Council public hearing was mailed or delivered at least ten (10) days prior to the hearing to property owners within 500 feet of the property as shown on the latest equalized assessment roll, and was mailed or delivered at least twenty (20) days prior to the hearing to the project applicant.
5. Notice of the April 13, 2016 City Council public hearing included the information set forth in Government Code Section 65009 (b)(2).
6. Following the public hearing on April 13, 2016, the City Council continued the item to May 25, 2016.
7. Following the public hearing on May 25, 2016, the City Council continued the item to May 31, 2016.

**SECTION 2.** In view of all the evidence and based on the foregoing findings and conclusions, the City Council hereby approves the Zoning Map Amendment associated with File No. 140000011 to change the existing PD-RM20-OSDR-SC zoning designation of a 77-acre parcel located at 4790 Las Virgenes Road to CR-RM20-OSDR-SC-DP, as shown in the attached partial zoning map "Attachment 1," to accommodate the proposed residential and commercial development. The proposed changes will modify the zoning of the commercial

portion and it will maintain the existing division of land uses between commercial and residential, totaling 16 acres, and protected open space, totaling 61 acres.

Section 17.76.050(B) Calabasas Municipal Code allows the City Council to approve a Zoning Map Amendment provided that the following findings are made:

1. *The proposed amendment is consistent with the goals, policies, and actions of the General Plan;*

The proposed amendment of the Zoning Map will re-designate approximately 16 acres of land from Planned Development and Residential Multi-Family (20 units/acre) to Commercial Retail and Residential Multi-Family (20 units/acre) plus the addition of a Development Plan overlay. The remainder of the subject property (approximately 61 acres) is zoned Open Space – Development Restricted, and will remain zoned for such use. The map amendment will retain the general shape and limits of the developable area as envisioned in the General Plan, while also aligning with the contours of the land and the Canyon Oaks project outline. The City's 2030 General Plan land use map depicts a compact triangular development area that is widest along the western property line (fronting Las Virgenes) and narrowing as it traverses east, up the valley. The proposed development footprint follows the basic parameters of the land use plan. Furthermore, the proposed new land use and zoning maps maintain the General Plan's clear intent to protect the upper hillsides of the site from development. Consequently, because the open space area will remain largely unchanged in terms of broad shape, consistent with the conceptual depiction of this area in the general plan and with no diminishment of territory, complying with the General Plan's Open Space approval, and based upon the many consistency determinations provided in the General Plan Consistency Table (Table 4.7-2 in the Final EIR incorporated herein by reference), this proposed zoning map amendment is consistent with the Calabasas 2030 General Plan. This Ordinance is not effective unless and until the associated General Plan Amendment is adopted by City Council. Accordingly, if this Ordinance becomes effective, the proposed Zoning Map Amendment will be consistent with the General Plan as provided in that Amendment.

2. *The proposed amendment would not be detrimental to the public interest, health, safety, convenience or welfare of the city;*

The proposed amendment of the Zoning Map will re-designate approximately 16 acres of land from Planned Development and Residential Multi-Family (20 units/acre) to Commercial Retail and Residential Multi-Family (20 units/acre) plus addition of Development Plan overlay. The remainder of the subject property (approximately 61 acres) is zoned Open Space – Development

Restricted, and will remain zoned for such use with no diminishment of territory. The map amendment will retain the general shape and limits of the area as envisioned in the General Plan, preserving all existing open space while also aligning with the contours of the land and the Canyon Oaks project outline. Once the recommended General Plan Amendment and the Zoning Map Amendment recommended below go into effect, the development will conform to General Plan and Development Code standards and procedures and will not be detrimental to public interest, health, safety, convenience, or welfare of the City. Additionally, the amendment supports a development project which will have a significantly lesser range and degree of environmental impacts (particularly a much lower number of vehicle trips on area roads), as compared to the land uses and intensity of use envisioned in the General Plan and the Las Virgenes Gateway Master Plan. The Zoning Map amendment will also accommodate a development project which will significantly improve public safety and welfare by remediating an existing ancient landslide condition on hillsides proximate to existing housing and public roads. The landslide hazard has the potential to impact not only the project site but also existing development to the west of the site. As part of the proposed project, this hazard will be remediated.

The project has been reviewed by various agencies, such as the Los Angeles County Fire Department, the Calabasas Department of Public Works, and Las Virgenes Municipal Water District, and has received preliminary approval from these agencies on the basis of compliance with applicable safety and design standards. Final building permit approval will be based upon meeting the required standards of all the necessary agencies. Therefore, the proposed project meets this finding.

3. *The proposed amendment is in compliance with the provisions of the California Environmental Quality Act (CEQA); and*

An Environmental Impact Report (EIR) was prepared for this project. In preparing the EIR, staff independently reviewed, evaluated, and exercised judgment over the project and the project's environmental impacts. The EIR identifies the areas where the project may have a potential effect on the environment. With the exception of Impact AES-3 (substantial degradation of the site's visual character), all other impacts listed as potentially significant have been mitigated to levels that are no longer significant. A Mitigation, Monitoring and Reporting Program is incorporated by reference and attachment to this resolution. Regarding Impact AES-3, all feasible mitigation measures have been considered and incorporated to lessen impacts to the visual character of the site to the extent feasible. The impact is acknowledged, but based on the environmental, economic, and neighborhood compatibility benefits of the proposed project, the City, as the lead agency,

has approved a Statement of Overriding Considerations with regard to aesthetic impacts.

4. *The site is physically suitable (including access, provision of utilities, compatibility with adjoining land uses, and absence of physical constraints) for the requested zoning designations and anticipated land uses/developments.*

The subject property is largely undeveloped but already substantially disturbed in the immediate area planned for the project (the proposed residential subdivision and commercial hotel). Two large storm-water detention basins are located in this area, as are several improved roads, culverts and drainage ditches, fences, and previously graded pad areas. The property was also heavily grazed for many decades. The remainder of the 77-acre subject property consists of well-vegetated hillsides characterized by an abundance of native and non-native grasses, coastal sage and oak trees. The combined total acreage is sufficient land area to accommodate the proposed project. Even after setting aside the required 61 acres of open space, the 16 acres of principal focus is ample area for the proposed hotel and 71 homes. Furthermore, the General Plan had identified this 16-acre area for development of as many as 180 housing units and 155,000 square-feet of commercial space, indicating the site is suitable for this proposed lower density project.

Potable water, recycled water, sewer, electricity, and natural gas utilities are available along the property frontage, and all connections and on-site utilities will be placed below ground, per city requirements. Furthermore, the property fronts Las Virgenes Road, a heavily travelled arterial street, to the west, with long established land uses in the vicinity including fast-food restaurants, gasoline service stations and convenience markets, a liquor store, grocery store, telecommunications switching facility, and a 48-home subdivision.

Accordingly, the site is physically suitable for the requested land use development. Additionally, the project has been reviewed by, and has received preliminary feasibility approvals from, various agencies such as the Los Angeles County Fire Department, the City of Calabasas Public Works Department, and the Las Virgenes Municipal Water District. Final building permit approval will be based upon meeting the required standards of all the necessary review agencies. Therefore, the proposed project meets this finding.

### **SECTION 3.** Severability Clause:

Should any section, clause, or provision of this Ordinance be declared by the Courts to be invalid, the same shall not affect the validity of the Ordinance as a whole, or parts thereof, other than the part so declared to be invalid.

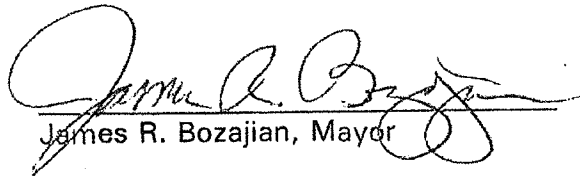
**SECTION 4.**      Effective Date:

This Ordinance shall take effect 30 days after its passage and adoption pursuant to California Government Code Section 36937 and shall supersede any conflicting provision of any City of Calabasas ordinance.

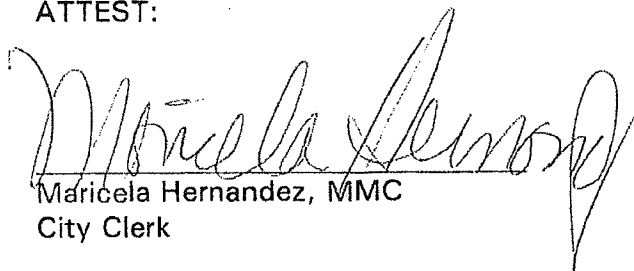
**SECTION 5.**      Certification:

The City Clerk shall certify to the passage and adoption of this ordinance and shall cause the same to be published or posted according to law.

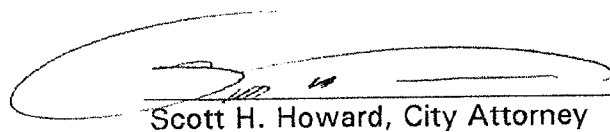
**PASSED, APPROVED AND ADOPTED** this 22<sup>nd</sup> day of June, 2016.

  
James R. Bozajian, Mayor

ATTEST:

  
Maricela Hernandez, MMC  
City Clerk

APPROVED AS TO FORM:

  
Scott H. Howard, City Attorney

**Attachment 1:**      Proposed Zoning Map



CITY of CALABASAS  
Proposed Zoning Map

0 0.05 0.1 0.2 Miles

Parcel A:  
Proposed Zoning  
Commercial Retail - Scenic Corridor - Development Plan (CR-SC-DP)

Parcels C and D:  
Proposed Zoning  
Open Space - Development Restricted (OS-DR)

Parcel B:  
Proposed Zoning  
Residential, Multi-Family (20D) - Scenic Corridor - Development Plan (RM-20D-SC-DP)

Residential Zones		Commercial Zones		Special Purpose Zones		Overlay Zones	
	PDD Planned Development		CB Commercial Business Park		HMA Hills/Mountain View		CH Calabasas Highlands
	RS Residential, Single-Family		CL Commercial, Limited		OS Open Space		OT Old Topanga
	RM Residential, Multi-Family		CMU Commercial, Mixed Use		REC Recreation		DP Development Plan
	RMH Residential, Mobile Homes		CO Commercial Office		PF Public Facility		SC Scenic Corridor
	RC Rural Community		CR Commercial, Retail		OS-DR Open Space - Development Restricted		
	RR Rural Residential		CT Commercial, Old Town				

\* The number following the District of parcels is the maximum density for the site. See the density table for more information.

\* The number following the District of parcels is the maximum density for the site. See the density table for more information.

This map was prepared by the City of Calabasas Planning Department on August 3, 2016.



STATE OF CALIFORNIA       )  
COUNTY OF LOS ANGELES    ) §  
CITY OF CALABASAS         )

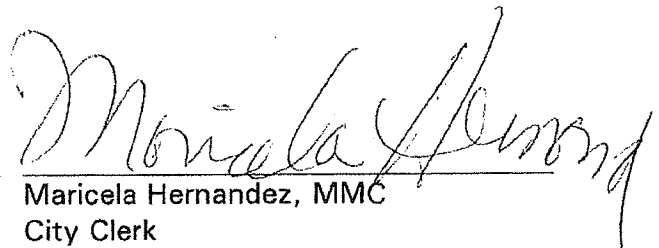
I, **MARICELA HERNANDEZ, MMC**, City Clerk of the City of Calabasas, California, **DO HEREBY CERTIFY** that the foregoing ordinance, being **Ordinance No. 2016-333** was duly introduced and approved by the City Council of the City of Calabasas at a regular meeting held on the 31<sup>st</sup> day of May, 2016 and adopted and passed by said Council at a regular meeting held on the 22<sup>nd</sup> day of June, 2016 by the following vote:

AYES:       Councilmembers Gaines, Shapiro and Weintraub.

NOES:       Mayor Bozajian and Mayor pro Tem Maurer.

ABSTAIN:   None.

ABSENT:     None.

A handwritten signature in black ink, appearing to read "Maricela Hernandez", is written over a horizontal line.

Maricela Hernandez, MMC  
City Clerk  
City of Calabasas, California

**RESOLUTION NO. 2016-1526**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALABASAS, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES TO RENDER SPECIFIED SERVICES TO THE CITY RELATING TO THE CONDUCT OF A SPECIAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 8, 2016.**

**WHEREAS**, on August 10, 2016, the City Council of the City of Calabasas called a Special Municipal Election for the purpose of submitting to the voters a City Measure; and

**WHEREAS**, it is desirable that the Special Municipal Election to be consolidated if possible with the Statewide General Election to be held on the same date, and that within the City precincts, polling places and election officers of the two elections to be the same, and that the Los Angeles County Registrar of Voters canvass the returns of the Special Municipal Election and that the election be held in all respects as if there were only one election; and

**WHEREAS**, a Special Municipal Election is to be held in the Calabasas, California, on November 8, 2016; and

**WHEREAS**, in the course of conduct of the election it is necessary for the City to request services of the County of Los Angeles.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CALABASAS, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:**

**SECTION 1.** That pursuant to the requirements of §10403 of the Elections Code, the Board of Supervisors of the County of Los Angeles is hereby requested to consent and agree to the consolidation of a Special Municipal Election with the Statewide General Election on Tuesday, November 8, 2016, for the purpose of placing a Measure on the ballot as follows:

<p>SHALL THE ORDINANCE NO. 2016-333 APPROVING CHANGING THE EXISTING ZONING FROM PLANNED DEVELOPMENT – RESIDENTIAL MULTIFAMILY (20) – OPEN SPACE DEVELOPMENT RESTRICTED – SCENIC CORRIDOR TO COMMERCIAL RETAIL – RESIDENTIAL MULTIFAMILY (20) – OPEN SPACE DEVELOPMENT RESTRICTED – SCENIC CORRIDOR – DEVELOPMENT PLAN TO ACCOMMODATE: 67 SINGLE-FAMILY DETACHED HOMES AND TWO AFFORDABLE DUPLEXES; A 72,872 SQUARE-FOOT, THREE-STORY HOTEL; AND PRESERVATION OF APPROXIMATELY 61.0 ACRES AS PERMANENT OPEN SPACE ON A 77-ACRE PROPERTY AT 4790 LAS VIRGENES ROAD, CALABASAS BE APPROVED?</p>	YES
	NO

**SECTION 3.** That the proposed complete text of Ordinance No. 2016-333, submitted to the voters is attached as Exhibit A.

**SECTION 4.** That the vote requirement for the measure to pass is a majority (50% + 1) of the votes cast.

**SECTION 4.** That the Los Angeles County Registrar of Voters is authorized to canvass the returns of the Special Municipal Election and the election shall be held in all respects as if there were only one election, and only one form of ballot shall be used. The election will be held and conducted in accordance with the provisions of law regulating the Statewide General election.

**SECTION 6.** That the Board of Supervisors is requested to issue instructions to the county elections department to take any and all steps necessary for the holding of the consolidated election.

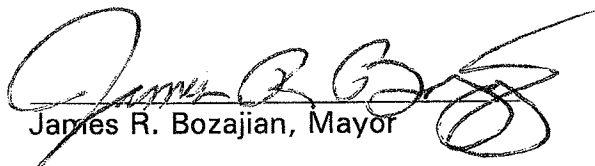
**SECTION 5.** That the City of Calabasas recognizes that additional costs will be incurred by the County by reason of this consolidation and agrees to reimburse the County for any costs.

**SECTION 6.** That the City Clerk is hereby directed to file a certified copy of

the Resolution with the Board of Supervisors and the Los Angeles County Registrar of Voters of the County of Los Angeles.

**SECTION 7.** The City Clerk shall certify to the adoption of this resolution and shall cause the same to be processed in the manner required by law.

**PASSED, APPROVED AND ADOPTED** on the 10<sup>th</sup> day of August, 2016.




James R. Bozajian, Mayor

ATTEST:



Maricela Hernandez, MMC  
City Clerk

APPROVED AS TO FORM:



Scott H. Howard  
City Attorney

Attachment: Exhibit A

STATE OF CALIFORNIA       )  
COUNTY OF LOS ANGELES    ) §  
CITY OF CALABASAS         )

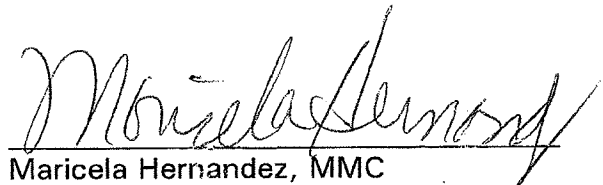
I, **MARICELA HERNANDEZ, MMC**, City Clerk of the City of Calabasas, California, **DO HEREBY CERTIFY** that the foregoing resolution, being **Resolution No. 2016-1526** was duly adopted by the City Council of the City of Calabasas, at a regular meeting of the City Council held August 10, 2016, and that it was adopted by the following vote, to wit:

AYES: Mayor Bozajian, Mayor pro Tem Maurer, Councilmembers Gaines, Shapiro and Weintraub.

NOES: None.

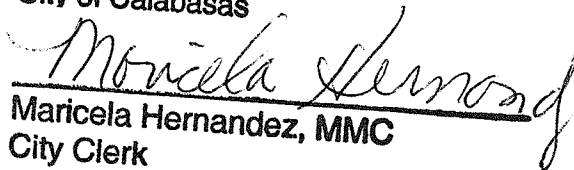
ABSTAIN: None.

ABSENT: None.



Maricela Hernandez, MMC  
City Clerk  
City of Calabasas, California

Certified to be a true and correct copy  
of original document on file with the  
City of Calabasas



Maricela Hernandez, MMC  
City Clerk

**ORDINANCE NO. 2016-333**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CALABASAS, CALIFORNIA, APPROVING A ZONING MAP AMENDMENT ASSOCIATED WITH FILE NO. 140000011 TO CHANGE THE EXISTING PLANNED DEVELOPMENT – RESIDENTIAL MULTIFAMILY (20) – OPEN SPACE DEVELOPMENT RESTRICTED – SCENIC CORRIDOR (PD-RM20-OSDR-SC) ZONING DESIGNATION TO COMMERCIAL RETAIL – RESIDENTIAL MULTIFAMILY (20) – OPEN SPACE DEVELOPMENT RESTRICTED – SCENIC CORRIDOR – DEVELOPMENT PLAN (CR-RM20-OSDR-SC-DP) TO ACCOMMODATE THE PROPOSED DEVELOPMENT PROJECT, WHICH INCLUDES: (1) A RESIDENTIAL COMPONENT CONSISTING OF 67 SINGLE-FAMILY DETACHED HOMES AND FOUR AFFORDABLE UNITS WITHIN TWO DUPLEX STRUCTURES OCCUPYING APPROXIMATELY 13.03 ACRES; (2) A COMMERCIAL COMPONENT CONSISTING OF A 72,872 SQUARE-FOOT, THREE-STORY HOTEL OCCUPYING APPROXIMATELY 2.91 ACRES; AND (3) PRESERVATION OF APPROXIMATELY 61.0 ACRES AS PERMANENT OPEN SPACE ON A 77-ACRE PROPERTY LOCATED AT 4790 LAS VIRGENES ROAD AT THE EASTERN TERMINUS OF AGOURA ROAD (APNS: 2069-078-009 AND 2069-078-011).**

**WHEREAS**, the City Council of the City of Calabasas, California (“the City Council”) has considered all of the evidence including, but not limited to, the Planning Commission Resolution, Planning Division staff reports and attachments, and public testimony from Planning Commission meetings on March 16, 2016 and March 17, 2016 and City Council meetings on April 13, 2016, May 25, 2016, and May 31, 2016 before making a final decision on May 31, 2016; and

**WHEREAS**, the City Council finds that the Zoning Map Amendment is consistent with the goals, policies, and actions of the General Plan and will not conflict with the General Plan. More specifically, the project is consistent with numerous General Plan policies including but not limited to Policies: II-8, II-9, II-10, II-11, II-12, II-17, III-7, III-13, III-14, IV-2, IV-4, IV-8, IV-9, IV-13, IV-15, IV-17, IV-18, IV-21, IV-22, IV-23, IV-24, IV-27, IV-28, IV-31, IV-33, IV-36, IV-37, VI-2, VI-11, VI-14, VI-15, VI-18, VI-19, VI-21, VII-1, VII-2, VII-5, VII-6, VII-7, VII-10, VII-16, VIII-8, IX-3, IX-5, IX-6, IX-14, IX-43, IX-46, XIII-7, XIII-9, XII-13, XII-14, XII-17, and XII-29; and

**WHEREAS**, the City Council finds that the Zoning Map Amendment will not be detrimental to the public interest, health, safety, convenience, or welfare of the City; and

**WHEREAS**, the proposed actions are in compliance with the provisions of the California Environmental Quality Act (CEQA) because an Environmental Impact Report (EIR) has been prepared and outlines mitigation measures and a statement of overriding considerations, which have been adopted by the city council for the project.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CALABASAS DOES ORDAIN AS FOLLOWS:**

**SECTION 1.** Based upon the foregoing the City Council finds:

1. Following a public hearing held on March 17, 2016, the Planning Commission adopted Resolution No. 2016-610 recommending to the City Council approval of File No. 140000011 and certification of adequacy of the associated Final Environmental Impact Report and adoption of a statement of overriding considerations.
2. Notice of the April 13, 2016 City Council public hearing was posted at Juan de Anza Bautista Park, the Calabasas Tennis and Swim Center, Gelson's Market, the Agoura Hills/Calabasas Community Center and at Calabasas City Hall.
3. Notice of the April 13, 2016 City Council public hearing was posted in the *Calabasas Enterprise* and the *Daily News* ten (10) days prior to the hearing.
4. Notice of the April 13, 2016 City Council public hearing was mailed or delivered at least ten (10) days prior to the hearing to property owners within 500 feet of the property as shown on the latest equalized assessment roll, and was mailed or delivered at least twenty (20) days prior to the hearing to the project applicant.
5. Notice of the April 13, 2016 City Council public hearing included the information set forth in Government Code Section 65009 (b)(2).
6. Following the public hearing on April 13, 2016, the City Council continued the item to May 25, 2016.
7. Following the public hearing on May 25, 2016, the City Council continued the item to May 31, 2016.

**SECTION 2.** In view of all the evidence and based on the foregoing findings and conclusions, the City Council hereby approves the Zoning Map Amendment associated with File No. 140000011 to change the existing PD-RM20-OSDR-SC zoning designation of a 77-acre parcel located at 4790 Las Virgenes Road to CR-RM20-OSDR-SC-DP, as shown in the attached partial zoning map "Attachment 1," to accommodate the proposed residential and commercial development. The proposed changes will modify the zoning of the commercial

portion and it will maintain the existing division of land uses between commercial and residential, totaling 16 acres, and protected open space, totaling 61 acres.

Section 17.76.050(B) Calabasas Municipal Code allows the City Council to approve a Zoning Map Amendment provided that the following findings are made:

1. *The proposed amendment is consistent with the goals, policies, and actions of the General Plan;*

The proposed amendment of the Zoning Map will re-designate approximately 16 acres of land from Planned Development and Residential Multi-Family (20 units/acre) to Commercial Retail and Residential Multi-Family (20 units/acre) plus the addition of a Development Plan overlay. The remainder of the subject property (approximately 61 acres) is zoned Open Space – Development Restricted, and will remain zoned for such use. The map amendment will retain the general shape and limits of the developable area as envisioned in the General Plan, while also aligning with the contours of the land and the Canyon Oaks project outline. The City's 2030 General Plan land use map depicts a compact triangular development area that is widest along the western property line (fronting Las Virgenes) and narrowing as it traverses east, up the valley. The proposed development footprint follows the basic parameters of the land use plan. Furthermore, the proposed new land use and zoning maps maintain the General Plan's clear intent to protect the upper hillsides of the site from development. Consequently, because the open space area will remain largely unchanged in terms of broad shape, consistent with the conceptual depiction of this area in the general plan and with no diminishment of territory, complying with the General Plan's Open Space approval, and based upon the many consistency determinations provided in the General Plan Consistency Table (Table 4.7-2 in the Final EIR incorporated herein by reference), this proposed zoning map amendment is consistent with the Calabasas 2030 General Plan. This Ordinance is not effective unless and until the associated General Plan Amendment is adopted by City Council. Accordingly, if this Ordinance becomes effective, the proposed Zoning Map Amendment will be consistent with the General Plan as provided in that Amendment.

2. *The proposed amendment would not be detrimental to the public interest, health, safety, convenience or welfare of the city;*

The proposed amendment of the Zoning Map will re-designate approximately 16 acres of land from Planned Development and Residential Multi-Family (20 units/acre) to Commercial Retail and Residential Multi-Family (20 units/acre) plus addition of Development Plan overlay. The remainder of the subject property (approximately 61 acres) is zoned Open Space – Development



Restricted, and will remain zoned for such use with no diminishment of territory. The map amendment will retain the general shape and limits of the area as envisioned in the General Plan, preserving all existing open space while also aligning with the contours of the land and the Canyon Oaks project outline. Once the recommended General Plan Amendment and the Zoning Map Amendment recommended below go into effect, the development will conform to General Plan and Development Code standards and procedures and will not be detrimental to public interest, health, safety, convenience, or welfare of the City. Additionally, the amendment supports a development project which will have a significantly lesser range and degree of environmental impacts (particularly a much lower number of vehicle trips on area roads), as compared to the land uses and intensity of use envisioned in the General Plan and the Las Virgenes Gateway Master Plan. The Zoning Map amendment will also accommodate a development project which will significantly improve public safety and welfare by remediating an existing ancient landslide condition on hillsides proximate to existing housing and public roads. The landslide hazard has the potential to impact not only the project site but also existing development to the west of the site. As part of the proposed project, this hazard will be remediated.

The project has been reviewed by various agencies, such as the Los Angeles County Fire Department, the Calabasas Department of Public Works, and Las Virgenes Municipal Water District, and has received preliminary approval from these agencies on the basis of compliance with applicable safety and design standards. Final building permit approval will be based upon meeting the required standards of all the necessary agencies. Therefore, the proposed project meets this finding.

3. *The proposed amendment is in compliance with the provisions of the California Environmental Quality Act (CEQA); and*

An Environmental Impact Report (EIR) was prepared for this project. In preparing the EIR, staff independently reviewed, evaluated, and exercised judgment over the project and the project's environmental impacts. The EIR identifies the areas where the project may have a potential effect on the environment. With the exception of Impact AES-3 (substantial degradation of the site's visual character), all other impacts listed as potentially significant have been mitigated to levels that are no longer significant. A Mitigation, Monitoring and Reporting Program is incorporated by reference and attachment to this resolution. Regarding Impact AES-3, all feasible mitigation measures have been considered and incorporated to lessen impacts to the visual character of the site to the extent feasible. The impact is acknowledged, but based on the environmental, economic, and neighborhood compatibility benefits of the proposed project, the City, as the lead agency,

has approved a Statement of Overriding Considerations with regard to aesthetic impacts.

4. *The site is physically suitable (including access, provision of utilities, compatibility with adjoining land uses, and absence of physical constraints) for the requested zoning designations and anticipated land uses/developments.*

The subject property is largely undeveloped but already substantially disturbed in the immediate area planned for the project (the proposed residential subdivision and commercial hotel). Two large storm-water detention basins are located in this area, as are several improved roads, culverts and drainage ditches, fences, and previously graded pad areas. The property was also heavily grazed for many decades. The remainder of the 77-acre subject property consists of well-vegetated hillsides characterized by an abundance of native and non-native grasses, coastal sage and oak trees. The combined total acreage is sufficient land area to accommodate the proposed project. Even after setting aside the required 61 acres of open space, the 16 acres of principal focus is ample area for the proposed hotel and 71 homes. Furthermore, the General Plan had identified this 16-acre area for development of as many as 180 housing units and 155,000 square-feet of commercial space, indicating the site is suitable for this proposed lower density project.

Potable water, recycled water, sewer, electricity, and natural gas utilities are available along the property frontage, and all connections and on-site utilities will be placed below ground, per city requirements. Furthermore, the property fronts Las Virgenes Road, a heavily travelled arterial street, to the west, with long established land uses in the vicinity including fast-food restaurants, gasoline service stations and convenience markets, a liquor store, grocery store, telecommunications switching facility, and a 48-home subdivision.

Accordingly, the site is physically suitable for the requested land use development. Additionally, the project has been reviewed by, and has received preliminary feasibility approvals from, various agencies such as the Los Angeles County Fire Department, the City of Calabasas Public Works Department, and the Las Virgenes Municipal Water District. Final building permit approval will be based upon meeting the required standards of all the necessary review agencies. Therefore, the proposed project meets this finding.

### **SECTION 3.** Severability Clause:

Should any section, clause, or provision of this Ordinance be declared by the Courts to be invalid, the same shall not affect the validity of the Ordinance as a whole, or parts thereof, other than the part so declared to be invalid.

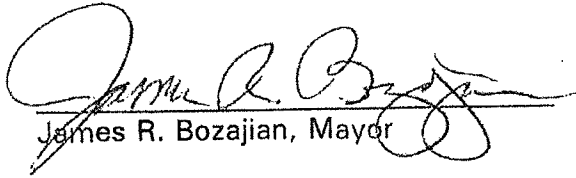
**SECTION 4.**     Effective Date:

This Ordinance shall take effect 30 days after its passage and adoption pursuant to California Government Code Section 36937 and shall supersede any conflicting provision of any City of Calabasas ordinance.

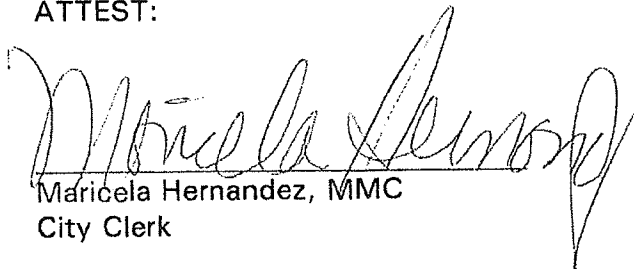
**SECTION 5.**     Certification:

The City Clerk shall certify to the passage and adoption of this ordinance and shall cause the same to be published or posted according to law.

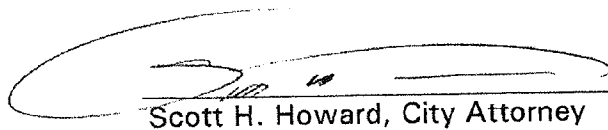
**PASSED, APPROVED AND ADOPTED** this 22<sup>nd</sup> day of June, 2016.

  
James R. Bozajian, Mayor

ATTEST:

  
Maricela Hernandez, MMC  
City Clerk

APPROVED AS TO FORM:

  
Scott H. Howard, City Attorney

**Attachment 1:**     Proposed Zoning Map



**CITY of CALABASAS**  
**Proposed Zoning Map**

0 0.05 0.1 0.2 Miles

Parcel A:  
Proposed Zoning  
Commercial Retail - Scenic Corridor - Development Plan (CR-SC-DP)

Parcels C and D:  
Proposed Zoning  
Open Space - Development Restricted (OS-DR)

Parcel B:  
Proposed Zoning  
Residential, Multi-Family (20D) - Scenic Corridor - Development Plan (RM-20D-SC-DP)

Residential Zones	Commercial Zones	Special Purpose Zones	Overlay Zones
PDD Planned Development	CB Commercial Business Park	HMA Hills/Mountain/Low	CH Calabasas Highlands
RS Residential, Single-Family	CL Commercial, Limited	OS Open Space	OT Old Topanga
RM Residential, Multi-Family	CMU Commercial, Mixed Use	REC Recreation	DP Development Plan
RMH Residential, Mobile Homes	CO Commercial Office	PF Public Facility	SC Scenic Corridor
RC Rural Community	CR Commercial, Retail	OS-DR Open Space - Development Restricted	
RR Rural Residential	CT Commercial, Old Town		

\* The numbers showing the limited of indicated by maximum density for the area. City for density.

\* The numbers showing the limited of indicated by maximum density for the area. City for density.

This map was prepared by the City of Calabasas Planning Department on March 1, 2016.



STATE OF CALIFORNIA       )  
COUNTY OF LOS ANGELES    ) §  
CITY OF CALABASAS         )

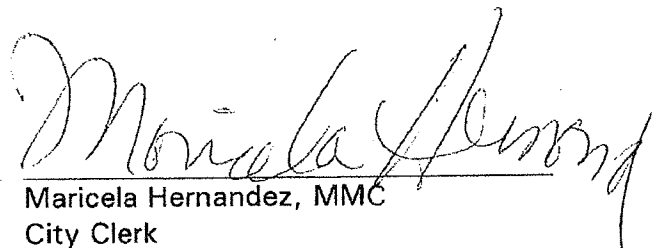
I, **MARICELA HERNANDEZ, MMC**, City Clerk of the City of Calabasas, California, **DO HEREBY CERTIFY** that the foregoing ordinance, being **Ordinance No. 2016-333** was duly introduced and approved by the City Council of the City of Calabasas at a regular meeting held on the 31<sup>st</sup> day of May, 2016 and adopted and passed by said Council at a regular meeting held on the 22<sup>nd</sup> day of June, 2016 by the following vote:

AYES:       Councilmembers Gaines, Shapiro and Weintraub.

NOES:       Mayor Bozajian and Mayor pro Tem Maurer.

ABSTAIN:   None.

ABSENT:    None.

A handwritten signature in dark ink, appearing to read "Maricela Hernandez", is written over a horizontal line.

Maricela Hernandez, MMC  
City Clerk  
City of Calabasas, California